

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7416

BILL NUMBER: SB 238

NOTE PREPARED: Jan 2, 2007

BILL AMENDED:

SUBJECT: Adult-Rated Video Games.

FIRST AUTHOR: Sen. Ford

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
☐ **FEDERAL**

IMPACT: State & Local

Summary of Legislation: The bill prohibits the sale or rental of certain video games to children. The bill also provides affirmative defenses.

Effective Date: July 1, 2007.

Explanation of State Expenditures:

Explanation of State Revenues: The bill creates a Class B infraction for a video game retailer selling, renting, or permitting another person to sell or rent a video game rated by the Entertainment Software Rating Board *M* to an individual less than 17 years old or *AO* to an individual less than 18 years old. The bill also creates a Class B infraction for a sales clerk who knowingly or intentionally sells or rents a video game rated *M* or *AO* to an individual under 18 years of age.

There are no data available to indicate how many video game retailers or sales clerks may be convicted of the Class B infractions included in this bill. If additional court cases occur and infraction judgments and court fees are collected, revenue to the state General Fund may increase. The maximum judgment for a Class B infraction is \$1,000. Judgements are deposited in the state General Fund.

If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the judicial salaries fee (\$15), the public defense administration fee (\$3), the court administration fee (\$2), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources: The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

Fiscal Analyst: Karen Firestone, 317-234-2106.